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shall not have to prepare again for war. It was held that the court should define the rights of neutrals; that it should have jurisdiction over international boundaries, health, sanitation, immigration, trade discriminations, and the rights of nationals domiciled in another country. It was frankly recognized that international co-operation is necessary to the organization and maintenance of the court. It was suggested that the United States might well sound other nations as soon as possible with reference to the setting up of such a court.

A prominent banker of New York proposed that the nations be represented in the world court on the three-fold basis of sovereignty, population, and commerce, a plan which would set up an electoral college with 361 votes, which college should elect fifteen judges for the court. It was pretty generally agreed that the elections should be confirmed by a "world power" that the judges might thus owe their allegiance primarily to that authority.

Important as this Cleveland gathering was, we venture the suggestion that it might better have concentrated its wisdom at this time upon that other half of the program of the American Peace Society, namely, a Congress of Nations. A Court of Nations will necessarily be preceded and perfected by such a Congress of Nations, and thus only. Laws defining the rights of belligerents and of neutrals, laws governing all international relations, will have to be restated and recodified at another Hague Conference. At such a conference the High Court of Nations which received so much attention at Cleveland will be set up, if it is to be set up. If the Cleveland congress is to be repeated in various other cities—and we hope it will be so repeated—there certainly ought to be another conference or series of conferences in the interest of a Congress of Nations.

Treaty Obligations.

The Lake Mohonk Conference on International Arbitration, at its May meeting, in looking back over the century since the days of Napoleon, declared its confidence in "the growing sense of obligation and duty between nation and nation."

The present wars opened by a breach of such an obligation on the part of Germany by invading Belgium. Since then, however, the German government has in several instances taken a very different course in the application of treaty provisions.

She has apologized to Switzerland for a flight of military air-craft over Swiss territory.

She has recognized the justice of the claim of the United States for reparation for the sinking of the *William P. Frye*. In 1828 a treaty between the United States and Prussia renewed a provision in a former treaty of 1785. This read as follows:

"If one of the contracting parties should be engaged in war with any other power, the free intercourse and

commerce of the subjects or citizens of the party remaining neutral with the belligerent power shall not be interrupted. On the contrary, in that case, as in full peace, the vessels of the neutral party may navigate freely to and from the ports and on the coasts of the belligerent parties free vessels, taking free goods, insomuch that all things shall be adjudged free which would be on board any vessel belonging to the neutral party, although such things belong to the enemy of the other; and the same freedom shall be extended to persons who shall be on board a free vessel, although they should be enemies to the other party, unless they be soldiers in actual service of such enemy."

The binding force of this treaty Germany promptly acknowledged, and advised us of her willingness to abide by it within a day or two after receiving our note stating our claim.

There is another and more far-reaching treaty to which the United States and Germany are parties. It is the Hague Convention of 1907 for the Pacific Settlement of International Disputes.

This provides, among other things (Part III), that "in disputes of an international nature, involving neither honor nor vital interests and arising from a difference of opinion on points of fact, the contracting powers deem it expedient and desirable that the parties who have not been able to come to an agreement by means of diplomacy should, as far as circumstances allow, institute an international commission of inquiry to facilitate a solution of these disputes by elucidating the facts by means of an impartial and conscientious investigation."

There is a question whether the *Lusitania* carried cannon prepared for service; another whether she was struck once or twice by a torpedo, and another as to the cargo of ammunition which she carried and its explosive character.

Before the vessel was sunk Germany notified our government that if any neutral ship should come to harm through submarines or air-craft, and the claim be made that the injury was done by those in the German service, Germany would unite in allowing the facts bearing on the claim, if she denied her responsibility, to be decided by an international commission of inquiry under the article of the Hague Convention above specified.

That convention also provides (Part IV) that "in questions of a legal nature, and especially in the interpretation or application of international conventions, arbitration is recognized by the contracting powers as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy has failed to settle."

"Consequently it would be desirable that in disputes about the above-mentioned questions the contracting powers should, if the case arose, have recourse to arbitration in so far as circumstances permit."

"The arbitration convention is concluded for questions already existing or for questions which arise eventually. It may embrace any dispute or only disputes of a certain category."

"Independently of general or private treaties expressly stipulating recourse to arbitration as obligatory on the contracting powers, the said powers reserve to themselves the right of concluding new agreements, general or particular, with a view to extending compul-

sory arbitration to all cases which they may consider it possible to submit to it."

The convention further expresses the resolution of the contracting parties to promote by all the efforts in their power the friendly settlement of international disputes, and their desire to extend the empire of law and fortify the sentiment of international justice. To facilitate "the immediate recourse for international differences which the parties have been unable to settle by diplomacy," the treaty then sets up a permanent court of arbitration at the Hague to be always ready to hear causes, and to be supported by joint contributions from the various Powers.

It is to be assumed that all the parties to this convention intend to abide by it.

Several serious questions of international law have arisen between two of them. One is whether international law at this stage of its development authorizes a belligerent to close on public notice a part of the high seas to commerce with its enemy. Another is whether, if so, it can enforce such a decree by submarines and torpedoes against a merchant ship carrying contraband. Another is whether, if such an attack be made, a torpedo can be discharged at such a merchant ship when it will endanger the lives of passengers who are neutrals and have been warned of the risk before embarkation.

These questions are such as the Hague tribunal can determine and determine authoritatively.

If the United States and Germany should unite in taking them there, it would be strong proof that the Lake Mohonk Conference had reason to thank God and take courage, in view of the growing sense of the obligation of treaties.

SIMEON E. BALDWIN.

Editorial Notes.

Summer School of International Relations. There is to be held at Cornell University the last two weeks in June a summer school of international relations, to be attended by chosen students from some thirty of the leading American colleges. Norman Angell will preside over the assembly. The Carnegie Endowment for International Peace and the Church Peace Union will send a number of students, while others will be admitted for a small fee. This school will be conducted on lines similar to the one held last summer in England. G. Lowes Dickinson, of Cambridge, England, is expected to be one of the leaders in the conference, and there will be strong American representatives on the staff of teachers.

Fifth International Peace Congress. The Fifth American Peace Congress is to be held in San Francisco October 10, 11, 12.

The President of the Congress is to be David Starr Jordan; the secretary, Robert C. Root, 2218 Durant avenue, Berkeley, Cal. There is no doubt that this Congress will be especially important. The various societies and organizations interested in a World Court and a League of Peace will have an oppor-

tunity to come together and to perfect their plans. It is suggested by the *Advocate of Peace* that the Congress might well divide itself into two main divisions, one to be devoted to the study of a Congress of Nations, the other to a High Court of Nations. The problems involved in a League of Peace, a World State, Concert of Powers, and the like, would naturally come under the former, while the various views relating to an international judiciary, an international police, and the like, will find expression in the latter. These problems are the real problems to be solved before the nations can reasonably expect a substitute for international war. Further suggestions aiming to promote the value of the Congress will be gladly received either at the office of the American Peace Society or by the Secretary of the Congress.

A Pan-American League of Peace. During its last session Congress passed a joint resolution, which was approved March 4, 1915, tendering the thanks of the Government to the ambassadors of Brazil, Chile, and Argentina for their "generous services as mediators," and authorizing the President of the United States

"to cause to be made and presented to their excellencies, Senhor Domicio da Gama, Señor Rómulo S. Naón, and Señor Eduardo Suárez, suitable gold medals, appropriately inscribed, which shall express the high estimation in which Congress holds the services of these distinguished statesmen, and the republics which they represent, in the promotion of peace and order in the American continent."

An appropriation of \$3,000 was authorized for these medals, and it is understood that they are soon to be presented officially.

In this connection it is of interest to note the remarks made at the Founder's Day celebration at the Carnegie Institute at Pittsburgh, Pa., on April 29, by President Samuel Harden Church, in introducing Ambassador Naón. These remarks were cabled to all the newspapers in Argentina. Dr. Church spoke as follows:

The two sentiments which have most largely influenced Andrew Carnegie in the service of humanity are International Peace and that kind of Pan-Americanism which provides a home on this continent to all races on the basis that humanity is greater than any State. It is therefore a felicitous circumstance that in this celebration of Founder's Day these two thoughts of peace and human rights should be presented for discussion from the New World standpoint. In the midst of the awful slaughter and devastation which is now breaking the heart of humanity the world waits in anxious suspense for the voice of a great leadership that will show us the path of effective aid to our suffering brethren on both sides of the conflict. We all have our opinions, if we are intelligent human beings, and we should not be afraid to utter them at any time in free discussion. But human opinion is one thing and human sympathy is quite another thing. Our sympathy ought now to be